

Senate Study Bill 1164

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
NATURAL RESOURCES AND
ENVIRONMENT BILL BY
CHAIRPERSON HOUSER)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to responsibilities of the state soil
2 conservation committee.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 3201SC 80
5 av/cl/14

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1 1 Section 1. Section 161A.4, Code 2003, is amended by adding
1 2 the following new subsection:
1 3 NEW SUBSECTION. 3A. a. The committee, pursuant to rules
1 4 adopted under chapter 17A, and in consultation with the
1 5 division of soil conservation, shall assess the availability
1 6 of private contractors in each soil and water conservation
1 7 district who are willing and able to provide services,
1 8 including but not limited to planting services, and sell plant
1 9 material to assist landowners or occupiers in carrying on
1 10 operations upon their land that further the policy stated in
1 11 this chapter.
1 12 b. After making an assessment of private contractors
1 13 available under paragraph "a", the committee shall determine
1 14 whether the private contractors available in each district are
1 15 sufficient to meet the needs of landowners or occupiers in
1 16 each district for such services and plant material. If the
1 17 committee determines that the private contractors available in
1 18 a district are not sufficient to meet the needs of landowners
1 19 or occupiers in that district for services or plant material,
1 20 the committee may authorize the district to provide services
1 21 for a fee with the district's equipment and to sell plant
1 22 material as necessary to meet such needs in that district.
1 23 c. The committee shall annually reassess the availability
1 24 of private contractors in each district, whether the need for
1 25 services and plant material in each district can be met by
1 26 available private contractors and whether the committee's
1 27 authorization allowing a district to provide services for a
1 28 fee and to sell plant material should be continued.
1 29 Sec. 2. Section 161A.7, subsection 6, Code 2003, is
1 30 amended to read as follows:
1 31 6. To make available on such terms as it shall prescribe,
1 32 to landowners or occupiers within the district, agricultural
1 33 and engineering machinery and equipment, fertilizer, lime, and
1 34 such other material or equipment as will assist such
1 35 landowners or occupiers to carry on operations upon their
2 1 lands for the conservation of soil resources and for the
2 2 prevention and control of soil erosion and for the prevention
2 3 of erosion, floodwater, and sediment damages, except that a
2 4 district shall not provide services for a fee with the
2 5 district's equipment, including but not limited to planting
2 6 services, or sell plant material unless the district is so
2 7 authorized by the committee pursuant to section 161A.4,
2 8 subsection 3A.

EXPLANATION

2 9 This bill provides that the state soil conservation
2 10 committee, pursuant to rules adopted under Code chapter 17A,
2 11 and in consultation with the division of soil conservation of
2 12 the department of agriculture and land stewardship, shall
2 13 assess the availability of private contractors in each soil
2 14 and water conservation district who are willing and able to
2 15 provide services, including but not limited to planting
2 16 services, and to sell plant material to assist landowners or
2 17 occupiers in carrying on operations upon their land that
2 18 further the policy of Code chapter 161A.
2 19 The bill provides that after making an assessment of
2 20 available private contractors in each district, the committee

2 22 shall determine whether the private contractors available in
2 23 each district are sufficient to meet the needs of landowners
2 24 or occupiers in that district for services or plant material.
2 25 If the committee determines that the private contractors
2 26 available are not sufficient to meet the needs of landowners
2 27 or occupiers, the committee may authorize the district to
2 28 provide services for a fee with the district's equipment and
2 29 to sell plant material as necessary to meet such needs in the
2 30 district.

2 31 The bill provides that the committee shall annually
2 32 reassess the availability of private contractors in each
2 33 district, whether the demand for services and plant material
2 34 in each district can be met by private contractors that are
2 35 available, and whether the committee's authorization allowing
3 1 a district to provide services for a fee and to sell plant
3 2 material should be continued.

3 3 The bill also provides that a district shall not provide
3 4 services with the district's equipment for a fee, including
3 5 but not limited to planting services, or sell plant material
3 6 except as authorized by the committee pursuant to Code section
3 7 161A.4, subsection 3A.

3 8 LSB 3201SC 80

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